

# Kasell Law Firm

July 2, 2024

District Judge Dora L. Irizarry  
United States District Court  
Eastern District of New York  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 1120

Re: *Square Funding Cali LLC v. Henderson*, 24 Civ. 00454

Judge Irizarry:

I represent Defendant Varaluz LLC in the above-captioned action, which Plaintiff Square Funding Cali LLC (“Plaintiff”) filed in the Supreme Court of the State of New York, County of Kings, Index No. 537502/2023, and Defendants removed to this Court on January 22, 2024 (the “Removed Action”).

I respectfully request that this Court refer the Removed Action to the United States Bankruptcy Court for the Eastern District of New York (the “E.D.N.Y. Bankruptcy Court”) for further proceedings.

The Removed Action arises in and is related to the chapter 11 case of Varaluz LLC, currently pending in the United States Bankruptcy Court for Nevada before Hilary L. Barnes under the caption *In re Varaluz LLC*, Case No. 24-13181 (HLB) (Bankr. D. Nev.). The petition filed in that case is attached as an exhibit to this letter.

By statute, the United States district courts are empowered to “provide that . . . any and all proceedings arising under title 11 or arising in or related to a case under title 11 shall be referred to the bankruptcy judges for the district.” 28 U.S.C. § 157(a). In this District, all such cases are referred to the E.D.N.Y. Bankruptcy Court by default under this Court’s Standing Order of Reference dated August 28, 1986 (Weinstein, C.J.), as amended by Order dated December 5, 2012 (Amon, C.J.)<sup>1</sup>

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<sup>1</sup> Available at <https://www.nyed.uscourts.gov/content/administrative-order-1986-264> and <https://img.nyed.uscourts.gov/files/general-ordes/adminorder2012-13.pdf>.

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Accordingly, Defendants respectfully request that the Removed Action be referred to the E.D.N.Y. Bankruptcy Court for further adjudication.

Respectfully,

/s/ David Kasell

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